



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: Not Yet Assigned
Hassan Mostafavi)
Serial No.: 10/678,741	Examiner: Not Yet Assigned)
Filed: October 3, 2003)))
For: METHOD AND SYSTEM FOR RADIATION APPLICATION))) .)))))
INFORMATION DISCL	OSURE STATEMENT
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
Sir:	
In accordance with 37 CFR § 1.97 and 1.98, the Statement ("IDS") are brought to the attention of the PTO/SB/08A (08-00) are enclosed.	he items identified in this Information Disclosure Office. The items listed on the attached form
The items identified in this IDS may or may nesubmission thereof by Applicant is not to be constructed or other information referred to therein is material or even qualifies as "prior art" under 35 USC § 102 with designated by Applicant as such.	considered to be material (37 CFR § 1.97(h)), or
CERTIFICATE OF MAIL (37 C.F.F.	
I hereby certify that this paper (along with any referred to as b States Postal Services on the date shown below with sufficien addressed to the Commissioner for Patents, P.O. Box 1450, A	being attached or enclosed) is being deposit with the Unites at postage as "First Class Mail" to addressee in an envelope
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Information Disclosure Statement Filing Provision:

within t filed un 1.491; c	three moder § 1. or (3) be	S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) on the filing date of the application, which is not a continued prosecution application 53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § fore the mailing of a first Office action on the merits; or (4) before the mailing of a first office filing a request for continued examination under § 1.114. Thus, no fee is required.				
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.				
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.				
on the r § 1.311	merits, b	S is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action out before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR				
		The fee due under 37 CFR § 1.17(p) is submitted herewith.				
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.				
	or a No	S is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR stice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted				
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	Each it	em contained in this IDS was first cited in any communication from a foreign patent office				
in a cou	ınterpar	t foreign application not more than three months prior to the filing of this IDS.				
	No item contained in this IDS was cited in a communication from a foreign patent office in a					
counter	part for	eign application, and, to the knowledge of the person signing this statement after making				
reasona	able inqu	airy, no item of information contained in this IDS was known to any individual designated				
in 37 C	FR § 1.:	56(c) more than three months prior to the filing of this IDS.				

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Please charge to Deposit Account No. 50-2	518 for the above fee(s).					
The Commissioner is authorized to charge any fees requir	ed by the filing of these papers, and to credit					
any overpayment to Bingham McCutchen's Deposit Acco	unt No. 50-2518 .					
	·					
	Respectfully submitted,					
	BINGHAM McCUTCHEN LLP					
Dated: 1/20/04 By	Gerald Chan Reg. No. 51,541					
RINGHAM McCLITCHEN LLP						

Three Embarcadero, Suite 1800 San Francisco, CA 94111-4067

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

Complete if Known				
Application Number	10/678,741			
Filing Date	October 3, 2003			
First Named Inventor	Hassan Mostafavi			
Art Unit	Not Yet Assigned			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	VM7012094003			

	U.S. PATENT DOCUMENTS					
Examiner Cite		Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
Initials *	No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	ORBO DOCUMENT	Passages or Relevant Figures Appear	
	AA	US-3,861,807	01/21/75	Lescrenier		
	AB	US-3,871,360	03/18/75	Van Horn et al.		
	AC	US-3,952,201	04/20/76	Hounsfield		
	AD	US-4,031,884	06/28/77	Henzel		
	AE	US-4,262,306	04/14/81	Renner		
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	AG	US-4,994,965	02/19/91	Crawford et al.		
	AH	US-5,080,100	01/14/92	Trotel		
	Al	US-5,271,055	12/14/93	Hsieh et al.		
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	AM	US-5,389,101	02/14/95	Heilbrun et al.		
	AN	US-5,394,875	03/07/95	Lewis et al.		
	AO	US-5,446,548	08/29/95	Gerig et al.		
	AP	US-5,538,494	07/23/96	Matsuda		
	AQ	US-5,582,182	12/10/96	Hillsman		
	AR	US-5,603,318	02/18/97	Heilbrun et al.		
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	AV	US-5,823,192	10/20/98	Kalend et al.		
	AW	US-5,836,954	11/17/98	Heilbrun et al.		
	AX	US-5,954,647	09/21/99	Bova et al.		
	AY	·US-6,138,302	10/31/00	Sashin et al.		
	AZ	US-6,146,390	11/14/00	Heilbrun et al.		
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	BG	2002/0023652 A1	02/28/02	Riaziat et al.		
	BH	2003/0007593 A1	01/09/03	Heuscher et al.		

Examiner	Date	
Signature	Considered	

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	U.S. PATENT DOCUMENTS						
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Initials *	No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	Oned Document	Passages or Relevant Figures Appear		
	ВІ	2003/0063292 A1	04/03/03	Mostafavi			
	BJ	2003/0072419 A1	04/17/03	Bruder et al.			

	FOREIGN PATENT DOCUMENTS					
Examiner Cite		Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
	ВК	DE 43 41 324 A 1	06/08/95	Germany		
	BL	79458	09/29/89	Finland		
	ВМ	WO 98/16151	04/23/98	PCT		

		NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
	BN	Peltola, Seppo M.Sc.; "Gated Radiotherapy To Compensate For Patient Breathing"; <i>Proceedings of the Eleventh Varian Users Meeting</i> , Macro Island, Florida; May 11-13, 1986.		
Mah, Katherine, et al.; "Time Varying Does Due To Respiratory Motion During Radiation Therapy Of The Thorax Proceedings of the Eighth Int'l Conference on the Use of Computers In Radiation Therapy, Toronto, Canada; Jul 9-12, 1984; pp. 294-298.				
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	BQ Robinson, Terry E., et al.; "Standardized High-Resolution CT of the Lung Using A Spirometer-Triggered Electron Beam CT Scanner"; AJR:172, June 1999; pp. 1636-1638.			
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	BS	Li, Debiao, et al.; "Coronary Arteries: Three-dimensional MR Imaging With Retrospective Respiratory Gating"; Radiology, December 1996; Vol. 201; No. 3.; pp. 857-863.		
	ВТ	Kachelriess, Marc, et al.; "Electrocardiogram-correlated Image Reconstruction From Subsecond Spiral Computed Tomography Scans Of The Heart"; Med. Phys. 25(12); December 1998; pp. 2417-2431.		

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Signature		Considered	

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INFO	RMATION	DISCLOSURE	Filing Date	October 3, 2003	
STATEMENT BY APPLICANT		First Named Inventor	Hassan Mostafavi		
			Art Unit	Not Yet Assigned	
(Use as many sheets as necessary)		Examiner Name	Not Yet Assigned		
Sheet	3	of 7	Attorney Docket Number	VM7012094003	

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	BU	Tada, Takuhito, et al.; "Lung Cancer: Intermittent Irradiation Synchronized With Respiratory Motion-Results Of A Pilot Study"; Radiology, June, 1998; Vol. 207; No. 3; pp. 779-783.	
	вv	Solberg, Timothy D., et al.; "Feasibility of Gated IMRT"; 3 pps.	
	BW	Wong, John W., et al.; "The Use Of Active Breathing Control (ABC) To Reduce Margin For Breathing Motion"; Int. J. Radiation Oncology Biol. Phys.; 1999; Vol. 44; No. 4; pp. 911-919.	
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	BY	Yorke, Ellen, et al.; "Respiratory Gating Of Sliding Window IMRT"; Dept. of Medical Physics, Memorial Sloan-Kettering Cancer Center, New York, 4 pps.	
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	СВ	Kubo, H. Dale, et al.; "Breathing-Synchronized Radiotherapy Program at the University of California Davis Cancer Center"; Med. Phys. 27(2); February 2000; pp. 346-353.	
-	СС	Iwasawa, Tae, et al.; "Normal In-Plane Respiratory Motion of the Bilateral Hemidiaphragms Evaluated By Sequentially Subtracted Fast Magnetic Resonance Images"; <i>Journal of Thoracic Imaging</i> , 1999; Vol. 14, No. 2; pp. 130-134.	
	CD	Kim, W.S., et al.; "Extension of Cardiac and Respiratory Motion Cycles by Use of Projection Data and Its Applications to NMR Imaging"; Magnetic Resonance in Medicine 13, 1990; pp. 25-37.	
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	CF	Sinkus, Ralph, et al.; "Motion Pattern Adapted Real-Time Respiratory Gating"; Magnetic Resonance in Medicine 41; 1999; pp. 148-155.	
	CG	Weiger, Markus, et al.; "Motion-Adapted Gating Based on k-Space Weighting For Reduction of Respiratory Motion Artifacts"; Magnetic Resonance in Medicine 38, 1997; pp. 322-333.	
	СН	Wang, Yi, et al.; "Implications For The Spatial Resolution in Coronary Imaging"; <i>Magnetic Resonance in Medicine</i> 33; 1995; pp. 713-719.	
	CI	Ritchie, Cameron J., et al., "Predictive Respiratory Gating: A New Method To Reduce Motion Artifacts on CT Scans", Radiology, 1994; pp. 847-852; Vol. 190; No. 3.	

Examiner		Date	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 10/678,741 Filing Date October 3, 2003 First Named Inventor Hassan Mostafavi Art Unit Not Yet Assigned Examiner Name Not Yet Assigned

(Use as many sheets as necessary)

VM7012094003 Sheet of Attorney Docket Number

		NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	cı	Kubo, H. Dale, et al.; "Potential and Role of a Prototype Amorphous Silicon Array Electronic Portal Imaging Device in Breathing Synchronized Radiotherapy"; <i>Med. Phys. 26(11)</i> ; November 1999; pp. 2410-2414.	
	ск	Kubo, Hideo D., et al.; "Respiration Gated Radiotherapy Treatment: A Technical Study"; <i>Phys. Med. Biol.</i> (1996) Vol. 41; pp. 83-91.	·
	CL	J.M. Balter et al.; "Uncertainties In CT-Based Radiation Therapy Treatment Planning Associated With Patient Breathing"; Int. J. Radiat. Oncol., Biol., Phys. 36; pp. 167-174 (August 1996).	
	СМ	S.C. Davies et al.; "Ultrasound Quantitation Of Respiratory Organ Motion in The Upper Abdomen"; <i>Br. J. Radiol.</i> 67; pp. 1096-1102 (November 1994).	
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	со	H. Frölich et al.; "A Simple Device For Breath-Level Monitoring During CT"; Radiology 156; p. 235 (July 1985).	
	СР	R.M. Henkelman et al.; "How Important Is Breathing In Radiation Therapy Of The Thorax?"; Int. J. Radiat. Oncol., Biol., Phys. 8; pp. 2005-2010 (November 1982).	
"	ca	M.B.M. Hofman et al.; "MRI Of Coronary Arteries: 2D Breath-Hold vs. 3D Respiratory-Gated Acquisition"; J. of Comp. Assisted Tomography 19; pp. 56-62 (Jan./Feb. 1995).	
	CR	G.J. Kutcher et al.; "Control, Correction, and Modeling Of Setup Errors and Organ Motion", Semin. Radiat. Oncol. 5; pp. 134-145 (April 1995).	
	cs	J. Hanley et al.; "Deep Inspiration Breath-Hold Technique For Lung Tumors: The Potential Value of Target Immobilization And Reduced Lung Density In Dose Escalation"; Int. J. Radiat. Oncol., Biol. Phys. 45; pp. 603-611 (October 1999).	
	СТ	L.S. Johnson et al., "Initial Clinical Experience With A Video-Based Patient Positioning System"; Int. J. Radiat. Oncol. Biol. Phys. 45, pp. 205-213; (August 1999).	
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	cv	H.D. Kubo et al., "Respiration Gated Radiotherapy Treatment: A Technical Study"; <i>Phys. Med. Biol.</i> 41; pp. 83-91; (1996).	
	cw	H.D. Kubo et al.; "Potential And Role Of A Prototype Amorphous Silicon Array Electronic Portal Imaging Device In Breathing Synchronized Radiotherapy"; <i>Med. Phys.</i> 26; pp. 2410-2414; (November 1999).	

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VM7012094003 Sheet 5 of Attorney Docket Number

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	СХ	C.E. Lewis et al.; "Comparison Of Respiratory Triggering And Gating Techniques For The Removal Of Respiratory Artifacts In MR Imaging"; Radiology 160; pp. 803-810; (September 1986).	
	CY	D. Li et al.; "Coronary Arteries: Three-Dimensional MR Imaging With Retrospective Respiratory Gating"; Radiology 201; pp. 857-863 (December 1996).	
	cz	M.A. Moerland et al.; "The Influence Of Respiration Induced Motion Of The Kidneys On The Accuracy Of Radiotherapy Treatment Planning, A Magnetic Resonance Imaging Study", Radiotherapy Oncol. 30, pp. 150-154 (1994).	
	DA	K. Ohara et al.; "Irradiation Synchronized With Respiration Gate"; Int. J. Radiat. Oncol., Biol. Phys. 17; pp. 853-857; (October 1989).	
	DB	J.N. Oshinski et al.; "Two-Dimensional Coronary MR Angiography Without Breath Holding"; Radiology 201; pp. 737-743; (December 1996).	
	DC	C.R. Ramsey et al.; "A Comparison Of Beam Characteristics For Gated And Nongated Clinical X-Ray Beams"; Med. Phys. 26; pp. 2086-2091; (October 1999).	
	DD	C.R. Ramsey et al.; "Clinical Efficacy Of Respiratory Gated Conformal Radiation Therapy", <i>Medical Dosimetry</i> 24; pp. 115-119; (1999).	
	DE	F. Lethimonnier et al.; "Three-Dimensional Coronary Artery MR Imaging Using Prospective Real-Time Respiratory Navigator and Linear Phase Shift Processing: Comparison With Conventional Coronary Angiography", <i>Magn. Reson. Imaging</i> 17; pp. 1111-1120; (1999).	
•	DF	R.J. van Geuns et al.; "Magnetic Resonance Imaging Of The Coronary Arteries: Clinical Results From Three Dimensional Evaluation Of A Respiratory Gated Technique"; <i>Heart</i> 82; pp. 515-519; (October 1999).	
	DG	C.J. Ritchie et al.; "Predictive Respiratory Gating: A New Method To Reduce Motion Artifacts On CT Scans"; Radiology 190; pp. 847-852; (March 1994).	
	DH	R.D. Rogus et al.; "Accuracy Of A Photogrammetry-Based Patient Positioning and Monitoring System For Radiation Therapy"; Med. Phys. 26; pp. 721-728; (May 1999).	
	DI	K. Cho et al.; "Development Of Respiratory Gated Myocardial SPECT System", J. Nucl. Cardiol. 6; pp. 20-28; (Jan./Feb. 1999).	
	DJ	C.S. Ross et al., "Analysis Of Movement Of Intrathoracic Neoplasms Using Ultrafast Computerized Tomography"; Int. J. Radiat. Oncol., Biol., Phys. 18, pp. 671-677; (March 1990).	
	DK	V.M. Runge et al.; "Respiratory Gating In Magnetic Resonance Imaging at 0.5 Tesla"; Radiology 151; pp. 521-523; (May 1984).	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/678,741		
Filing Date	October 3, 2003		
First Named Inventor	Hassan Mostafavi		
Art Unit	Not Yet Assigned		
Examiner Name	Not Yet Assigned		
Attorney Docket Number	VM7012094003		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	DL	T.S. Sachs et al.; "Real-Time Motion Detection In Spiral MRI Using Navigators", <i>Magn. Reson. Med.</i> 32; pp. 639-645; (November 1994).	
	DM	L.H. Schwartz et al.; "Kidney Mobility During Respiration"; Radiother. Oncol. 32; pp. 84-86; (1994).	
	DN	M. Paivansalo Suramo et al.; "Cranio-caudal Movements Of The Liver, Pancreas And Kidneys In Respiration", Acta Radiol. Diagn. 2; pp. 129-131; (1984).	
	DO	C.R. Ramsey et al.; "Clinical Efficacy Of Respiratory Gated Conformal Radiation Therapy"; Med. Dosim. 24; pp. 115-119; (1999).	,
	DP	J.W. Wong et al.; "The Use Of Active Breathing Control (ABC) To Reduce Margin For Breathing Motion"; Int. J. Radiat. Oncol., Phys. 44; pp. 911-919; (July 1999).	
	DQ	H.D. Kubo et al.; "Compatibility Of Varian 2100C Gated Operations With Enhanced Dynamic Wedge And IMRT Dose Delivery"; <i>Med. Phys.</i> 27; pp. 1732-1738; (August 2000).	
	DR	H. Shirato et al.; "Four-Dimensional Treatment Planning And Fluroscopic Real-Time Tumor Tracking Radiotherapy For Moving Rumor"; Int. J. Radiat. Oncol., Biol., Phys. 48; pp. 435-442; (September 2000).	
	DS	N.G. Bellenger et al.; "Left Ventricular Quantification In Heart Failure By Cardiovascular MR Using Prospective Respiratory Navigator Gating: Comparison With Breath-Hold Acquisition"; <i>J. Magn. Reson. Imaging</i> 11; pp. 411-417; (April 2000).	
	DT	Q. Yuan et al.; "Cardiac-Respiratory Gating Method For Magnetic Resonance Imaging Of The Heart"; Magn. Reson. Med. 43; pp. 314-318; (February 2000).	
	DU	K.E. Rosenzweig et al.; "The Deep Inspiration Breath Hold Technique In The Treatment Of Inoperable Non-Small Cell Lung Cancer"; Int. J. Radiat. Oncol., Biol., Phys. 48; pp. 81-87; (August 2000).	
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	DW	G.S. Mageras et al.; "Respiratory Motion-Induced Treatment Uncertainties"; Patras Medical Physics 99 – VI International Conference On Medical Physics, Monduzzi Editore, pp. 33-39; (September 1999).	
	DX	G.S. Mageras; "Interventional Strategies For Reducing Respiratory-Induced Motion In External Beam Therapy"; The Use of Computers In Radiation Therapy XIIIth International Conference, Heidelberg, Germany, pp. 514-516; (May 2000).	
	DY	S. Malone et al.; "Respiratory-Induced Prostate Motion: Quantification And Characterization", Int. J. Radiat. Oncol., Biol., Phys. 48; pp. 105-109; (August 2000).	

Examiner	Date	
Signature	Considered	•

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 10/678,741 October 3, 2003 Filing Date First Named Inventor Hassan Mostafavi Art Unit Not Yet Assigned Examiner Name Not Yet Assigned

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	NON PATENT LITERATURE DOCUMENTS					
Examiner Initials * Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of		T ²				
	DZ	G. Mageras et al.; "Initial Clinical Evaluation Of A Respiratory Gating Radiotherapy System"; 22 nd Annual EMBS International Conference, Chicago, IL.; pp. 2124-2127; (July 23-28, 2000).				
	EA	Ellen Yorke et al.; "Respiratory Gating Of Sliding Window IMRT"; 22 nd Annual EMBS International Conference, Chicago, IL.; pp. 2118-2121; (July 23-28, 2000).				
	EB	Jolesz, Ferenc M.D., et al.; "Image-Guided Procedures And The Operating Room Of The Future"; Radiology; SPL Technical Report #48: May 1997; 204:601-612.				

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